

RESOLUTION SD 49-86

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF NAVAJO COUNTY GRANTING A
SPECIAL DEVELOPMENT CLASSIFICATION

SECTION 1. The Navajo County Board of Supervisors does hereby acknowledge that a petition was duly filed by:
Brookbank Canyon Subd. Ltd.

requesting a Special Development Permit to:
Create a Subdivision - 119 lots on 122.70 acres

located on the following described property:
Ellsworth Ranch Property on FS Rd. 212 - 8 mi. S of Heber on Hwy 260


for the purpose of:
creating a Subdivision

SECTION 2. The Board of Supervisors after a duly noticed Public Hearing having been held, has reviewed the aforementioned request for a Special Development Permit and having also considered the recommendation by the Planning Commission, has determined that the requested Special Development Permit be granted according to the following conditions:

SECTION 3. This permit hereby allowed is conditional upon the privileges being utilized within one (1) year after the effective date thereof, and if they are not utilized or construction work begun within said time and carried on diligently in accordance with conditions imposed by the Board, the authorization shall become null and void, and any privilege or permit granted shall be deemed to have leapsed. An extension may be granted when requested by the owner.

SECTION 4. This action shall become final and effective thirty (30) days after adoption of this resolution unless during that time a written appeal is submitted by any person to the Board of Supervisors.

APPROVED AND ADOPTED this 17 day of June, 1986.


Chairman, Navajo County
Board of Supervisors

ATTEST:


Clerk of the Board

District I
PERCY DEAL
P.O. Box 365
Oraibi, AZ 86039
Phone 725-3264

District II
JOHN L. DALTON
520 Sunset
Winslow, AZ 86047
Phone 289-4001

District III
PETE SHUMWAY
P.O. Box 161
Taylor, AZ 85939
Phone 536-7633

BOARD OF SUPERVISORS

Navajo County
Governmental Center

P.O. Box 668
Holbrook, AZ 86025
Phone (602) 524-6161

EDWARD J. KOURY
County Manager

SHARON R. KEENE
Clerk of the Board

Stipulation - Brookbank Canyon

June 17, 1986

- 1) R1-43 district regulation control, except where site plan controls.
- 2) Compliance with all Forest Service request
- 3) That a sewage treatment plant be installed by the developer to better prevent down stream pollution.
- 4) That the site plan also be acted on by the Baord or sent to the commission for their review.

These stipulation were recommended by the Planning & Zoning Commission and staff of the department and were included with the Board of Supervisors motion plus the concern of the Forest Services (a copy of which is attached).

Part of Resolution #49-86 adopted 6/17/86



United States
Department of
Agriculture

Forest
Service

Heber
Ranger
District

P.O. Box 168
Overgaard, AZ
85933

Reply to: 5400

Date: April 7, 1986

Brian Daniels,
Vice President
Dashney & Associates, Inc.
1107 N. Beeline Hwy.
Suite D
Payson, Arizona 85541

Dear Brian,

The purpose of this letter is to respond to your request that I identify an emergency escape route from your proposed Brookbank Subdivision.

As you are aware the Forest Service policy is to allow only one ingress/egress route to a private inholding. We have met this obligation via Forest Road # 212. Should a true fire emergency occur which would block this route, the route I have identified on the east half of the east half of Section 1 may be used. See attached map. However, this is an unimproved, two track road which shall not be improved or used for other than an emergency fire escape. The road is closed at both ends by barbed wire fences. This road will not be considered as an ingress/egress route to the subdivision.

If I can be of further help, please call Mike Sugaski or me.

Sincerely,

Rick D. Cables

RICK D. CABLES
District Forest Ranger

Enclosure (1)

CC:

S.O.

~~Navajo County Eng Jim Bruce~~

RECEIVED

Part of Resolution #49-86 adopted 6/17/86





Reply to: 2730

Date: March 18, 1986

Jim Bruce
Navajo County Engineer
Navajo County Government Center
South Hwy 77
Holbrook, AZ 86025

Dear Jim,

Dashney and Associates, Inc. sent us a letter and a tentative map of their plans for a subdivision southwest of Heber. They asked us to review the plans and send our comments to your Planning and Building Department.

Here are our comments:

- 1) The plan does not show a typical drawing of the access road on the forest land from S.H. 260 to the subdivision. Some questions we have concerning this road are: a) is the road going to be paved? b) If so, how wide is the paved portion of the road? c) why is the right-of-way width planned for 66 feet and the portion where it enters private land only 60 feet? Which is correct? We would like to see a detailed typical drawing of this road.
- 2) We would like to see the cattleguard in the state highway R/W parallel the highway, not offset as planned. This would keep the F.S. 212 road width (66') consistent to the highway R/W.
- 3) All work abutting the S.H. R/W must be approved by ADOT.
- 4) A road sign plan needs to be developed which meets Forest Service and County standards.
- 5) There is an existing cattleguard about midway on the F.S. 212 road. This cattleguard will need to be replaced with a larger one.
- 6) Is the new interchange between the old 212 road and Brookbank Drive going to be paved?
- 7) What is the possibility of constructing the Dike on private land as opposed to forest land?
- 8) We would like to review a detailed drawing of the Dike.



Subdivision Comments

Page 2

9) A cattleguard is needed on the 212 road between the subdivision and forest land.

10) The entire subdivision is surrounded by a cattle allotment. It would be beneficial to the subdivision if a new fence was constructed on the property boundary. Much of the old fence is deteriorated to the point where it is no longer functional. We would like to see a subdivision ordinance that would restrict residents from cutting the boundary fence for gates and driveways which only encourage people to establish new roads and trails on forest land for their personal gain. These new roads and trails are usually poorly located. They increase erosion, off-road vehicle use, and the disruption of wildlife. Without fencing the subdivision, encroachments onto the National Forest is a reoccurring problem for land-owners, the Forest Service, and local law enforcement agencies. Also, it is more costly in the long run.

We strongly recommend the use of fence stiles for lot owners who want access to forest land abutting their property.

11) We would like to reserve the option to have the subdivider obliterate and block off a portion of the Lower Brookbank road where it intersects the new Brookbank Drive southwest of the subdivision.

12) The Forest Service policy is to allow only one access road into private land. We will adhere to this policy.

13) Who determined the boundary of the 100 year flood plain?

14) A cultural resource survey and clearance report is required before any ground disturbance can begin on forest land.

In conclusion, the proposed subdivision will be a major impact to wildlife in the surrounding area. The risk of wildfires will dramatically increase as will the probability of improvements that will encroach on forest land.

The proposed subdivision will be a sensitive development due to the fact that there are no developments in this portion of the forest. We appreciate the opportunity to comment, and are looking forward to continued cooperations with you.

Please keep me advised as to the progress of the proposed subdivision.

Sincerely,



RICK D. CABLES
Heber District Ranger

Enclosure

(Part of Resolution 49-86 adopted 6/17/86)

cc. Dashney and Associates
S.O.